

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF LIBYA
CONCERNING THE IMPOSITION OF IMPORT RESTRICTIONS
ON CATEGORIES OF ARCHAEOLOGICAL AND ETHNOLOGICAL
MATERIAL OF LIBYA**

The Government of the United States of America and the Government of Libya;

Acting pursuant to the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, to which both countries are States party; and

Desiring to reduce the incentive for pillage of irreplaceable archaeological and ethnological material representing Libya's rich cultural heritage;

Have agreed as follows:

ARTICLE I

1. The Government of the United States of America shall, in accordance with its legislation, including the Convention on Cultural Property Implementation Act, restrict the importation into the United States of certain archaeological material ranging in date from the Paleolithic Period (c.a. 12,000 B.C.) through 1750 A.D. and certain ethnological material, which may include categories of stone, metal, ceramic, bone, ivory, shell, glass, faience, semi-precious stone, painting and drawing, plaster, textiles, mosaics, wood, leather, parchment, and paper identified in the list to be promulgated by the Government of the United States (hereinafter referred to as the Designated List), unless the Government of Libya issues a license which certifies that such exportation was not in violation of its laws.

2. The Government of the United States of America shall offer for return to the Government of Libya any object or material on the Designated List forfeited to the Government of the United States of America.
3. Such import restrictions shall become effective on the date the Designated List is published in the U.S. Federal Register, the official United States Government publication providing fair public notice.

ARTICLE II

1. Each Government shall publicize this Memorandum of Understanding (MOU) and the reasons for entering into it.
2. The Government of Libya shall continue to use its best efforts to maintain and share with the Government of the United States of America information about unauthorized excavations, thefts of cultural property, trafficking of cultural property, and other factors that jeopardize its cultural patrimony.
3. The Government of Libya shall continue to use its best efforts to take steps consistent with the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property to protect its cultural patrimony. To assist in these efforts, the Government of the United States of America shall use its best efforts to facilitate technical assistance to the Government of Libya, as appropriate, under available programs in the public and/or private sectors.
4. The Government of Libya shall use its best efforts to engage other countries having a significant import trade in archaeological and ethnological materials from Libya to deter pillage of its cultural property.
5. Each Government shall use its best efforts to encourage further interchange of archaeological and ethnological materials for cultural, educational, and scientific purposes, including long-term loans, to promote widespread public appreciation of and access to Libya's rich cultural heritage.

6. Each Government shall endeavor to keep the other informed of the measures taken to implement this MOU.

ARTICLE III

The obligations of both Governments and the activities carried out under this MoU shall be subject to their respective laws and regulations, including with respect to the availability of appropriated funds.

ARTICLE IV

1. This MOU shall enter into force upon signature; it shall remain in force for a period of five (5) years, unless extended.
2. This MOU may be extended and amended only by mutual written consent of the Parties.
3. The Government of the United States of America and the Government of Libya shall review the effectiveness of this MOU before the expiration of the five (5)-year period in order to determine whether the MOU should be extended.
4. Either Party may notify the other, in writing through diplomatic channels, of its intention to terminate this MOU prior to its date of expiry. In such a case the termination shall come into effect six (6) months after the date of notification.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed the present MOU.

DONE at Washington, this 23 of February, 2018, in duplicate, in the English and Arabic languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

Erwin Steven Goldstein

FOR THE GOVERNMENT OF
LIBYA:

